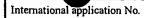
PATENT COOPERATION TREATY



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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

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INTERNATIO	ONAL PRELIMINARY EXAMIN	NATION REPORT
	(PCT Article 36 and Rule 70)	
Applicant's or agent's file reference P16583		fication of Transmittal of Intern y Examination Report (Form PCT/IPE
International application No. PCT/EP2003/013324	International filing date (day/month/year) 26 November 2003 (26.11.2003)	Priority date (day/month/year) 02 December 2002 (02.12.2
International Patent Classification (IPC) or na E01F 15/00	ational classification and IPC	
Applicant	VON LINDE, Albrecht	*
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Date of submission of the demand	Date of completion	of this report
23 June 2004 (23.06.2	.004) 30	March 2005 (30.03.2005)
Name and an illine address of the IDEA/ED	Authorized officer	
Name and mailing address of the IPEA/EP	Admonized officer	



PCT/EP2003/013324

I.	Basis	of the re	port				
1.	With	regard to	the elements of the international application:*				
		the international application as originally filed					
	\boxtimes	the des	cription:				
		pages	1-10	, as originally filed			
		pages		, filed with the demand			
		pages	, filed with the letter of				
	\square	the clai	ms:				
		pages	····	, as originally filed			
		pages	, as amended (together				
		pages		, filed with the demand			
		pages	1-15 , filed with the letter of				
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		pages					
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2.	the in	ternation e elemen		which is:			
	H		guage of a translation furnished for the purposes of international search (under Ru	uie 23.1(b)).			
	H		guage of publication of the international application (under Rule 48.3(b)).	anamination (under Pula 55.2 and)			
	Ш	or 55.3	,	·			
3.	With	regard minary e	to any nucleotide and/or amino acid sequence disclosed in the internal xamination was carried out on the basis of the sequence listing:	tional application, the international			
	Ц	contain	ned in the international application in written form.				
	Ц	filed to	gether with the international application in computer readable form.				
		furnish	ned subsequently to this Authority in written form.				
			ned subsequently to this Authority in computer readable form.				
			tatement that the subsequently furnished written sequence listing does not ational application as filed has been furnished.	go beyond the disclosure in the			
			atement that the information recorded in computer readable form is identical urnished.	to the written sequence listing has			
4.		The ar	nendments have resulted in the cancellation of:				
			the description, pages				
			the claims, Nos.				
			the drawings, sheets/fig				
5.			port has been established as if (some of) the amendments had not been made, si the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**	nce they have been considered to go			
*	in th	icement is repor 10.17).	sheets which have been furnished to the receiving Office in response to an invita t as "originally filed" and are not annexed to this report since they do no	ntion under Article 14 are referred to ot contain amendments (Rule 70.16			
*1		-	ent sheet containing such amendments must be referred to under item 1 and anne	xed to this report.			
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International cation No.
PCT/EP 03/13324

v.	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;
	citations and explanations supporting such statement

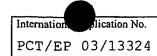
Statement			
Novelty (N)	Claims	5, 8, 10, 11, 13, 14	YES
	Claims	1-4, 6, 7, 9, 12, 15	NO -
Inventive step (IS)	Claims		YES
	Claims	1-15	NO
Industrial applicability (IA)	Claims	1-15	_ YES
	Claims		NO

2. Citations and explanations

1.1 The application fails to meet the requirement of PCT Article 33(1) because the subject matter of one of the alternatives in claim 1 is not novel (PCT Article 33(2)).

GB-A-908805 discloses (see, for example, figure 4) a device for modifying the layout of a road section, consisting of an arrangement of individual kerb elements (11, 12) disposed along the road section. The kerb elements can be moved from an initial configuration into a new configuration to divide the road section into separate lanes. To divide the road section into two separate lanes, kerb elements are provided in the middle of the road (see page 1, lines 12 to 20 - "traffic lane"); in their initial configuration the kerb elements are flush with the surface of the road section.

Since the device known from the aforementioned prior art could easily be used for a section of a motor vehicle racetrack, the term "motor vehicle racetrack section" does not distinguish the subject matter of claim 1 from the prior art. The same is true of the relative term "broad road section", and of the feature whereby the kerb elements can be moved "individually



or in groups" (at least one of these options being inherently possible). Thus one of the alternatives defined in claim 1 is anticipated by GB-A-908805 (PCT Article 33(2)).

- 1.2 The other alternative, wherein the new configuration is a new bend curvature, does not require any inventive contribution from a person skilled in the art and therefore also fails to meet the requirement of PCT Article 33(3).
- 2.1 One of the alternatives defined in claim 15 (the new racetrack bend curvature) relates essentially to a method in which a racetrack section is modified by moving kerb elements. Such a method does not exclude the possibility of manual implementation, and therefore this alternative also lacks novelty (PCT Article 33(2)).
- 2.2 Regarding the other alternative, it is noted that the subject matter of the claim differs from the known method in that it involves the layout of a motor vehicle racetrack.

To a person skilled in the art it is obvious that the teaching of GB-A-908805 (relating to the modification of the layout of a normal road section) could also be applied to the layout of a racetrack section, especially since the alternative defined in claim 15 involves dividing the racetrack along the middle to form separate lanes, which is no different from modifying the layout in normal traffic.

The subject matter of the alternative defined in claim 15 therefore does not involve an inventive step (PCT Article 33(3)).



- 3. Dependent claims 2 to 14 do not contain any features that meet the PCT requirements in respect of novelty and inventive step when combined with the features of any of the back-referenced claims. The reasons for this are as follows:
 - Claims 2 to 4, 6, 7, 9 and 12: see GB-A-908805, figure 4, "actuating means", page 2, line 43; elements (11) and (12) can be inclined and tilted.
 - Claims 5, 8, 13 and 14: structural variants
 - Claims 10 and 11: see US-A-2001/048845, figure 5,
 remote control (45)
- 4. With reference to PCT Rules 64.3 and 70.10 and PCT/GL/ISPE/1-16.67 and 17.44, it is noted that the international application WO-A-03/012207 ("Safety fence for vehicles", Filing date 02-07-2002, Publication date 13-02-2003) claims a priority date of 23-07-2001.